



MINNESOTA TAX IDENTIFICATION

NOTICE

Pursuant to laws of Minnesota, 1984, Chapter 502, Article 8, Section 2 (270.72) (Tax Clearance; Issuance of Licenses), the licensing authority is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the social security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

1. This information may be used to deny the issuance or renewal of your license in the event you owe Minnesota sales, employer's withholding or motor vehicle excise taxes.
2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement the Department of Revenue may supply this information to the Internal Revenue Service.
3. **FAILURE TO SUPPLY THIS INFORMATION MAY JEOPARDIZE OR DELAY THE PROCESSING OF YOUR LICENSE ISSUANCE OR RENEWAL APPLICATION.**

Please supply the following information and return along with your application to the licensing authority.

Business Owner's Last Name

Business Owner's First Name

Middle Initial

Address of Business Owner

City, State, Zip Code

Social Security Number of Business Owner

Position (Officer, Partner, etc.)

Business Name

Business Address

City, State, Zip Code

MINNESOTA TAX IDENTIFICATION NUMBER

Signature

Date



City of New Hope
4401 Xylon Avenue North
New Hope, MN 55428
763-531-5100

SUPPLEMENTAL BUSINESS LICENSE APPLICATION
-- FIREWORKS --

I have reviewed City Code 8-40 and agree to the conditions.

Applicant's Signature: _____

Date: _____

Business Address: _____

I have enclosed the following documents:

- Business License Application
- Payment of \$100 license fee per 14-10
- Certificate of Insurance per 8-40(e)

Do you own the business premise? _____(yes/no). If the applicant does not own the business premises, the applicant must provide a true and correct copy of the current, executed lease, as well as the written authorization of the property owner for the applicant's use of the property for the sale of permitted fireworks.

Describe the following per 8-40(d):

Type of consumer fireworks that will be sold: _____

Estimated quantity of consumer fireworks that will be stored on the licensed premises: _____

Approval dates: _____ Fire Department _____ Community Development
(attach e-mail documentation if applicable)

Comments: _____

To be completed by applicant

To be completed by city

WEST METRO FIRE-RESCUE DISTRICT

SUPPLEMENTAL APPLICATION FOR A FIREWORKS LICENSE

1. List the hours of operation (This can affect if emergency lighting is required and illuminated exit signage is required. This is required if opened after dusk.): _____

2. Submit a site plan to scale showing the following: Public ways, buildings, vehicle access and parking areas, clearance to combustibles, fire department access for buildings 150 feet, and fuel dispensing. Illustrate the distance from tent sales to closest buildings in area.
3. Submit a drawing of the size of the building or tent structure. This will play a factor in NFPA 1124 to determine if the structure complies with temporary or permanent structure requirements.
4. If in a permanent building, provide information on what type of fire protection is provided in the building? (i.e. sprinkler and fire alarm system) _____

5. Are the tent specifications Fire Retardant Certified? **Yes** **No** **Not applicable**
6. Submit a floor plan of the area either to scale or showing the measurements for the following: location and type of fire extinguishers, floor plan, layout and height of displays (maximum 6 feet high, perimeter maximum 12 feet high), firebreaks, aisle width, construction details of tent (conforms to NFPA 102), fire exits, signage.
7. Submit information on Shelving. Indicate and provide detailed information on how and where the flame breaks will be located. How the shelving will be constructed. This information shall be indicated on the floor plan also.
8. How will the fireworks be secured while unoccupied and not open for business? _____

9. Show the ratings in the building construction to verify the NFPA 1124 requirements are met (especially fireworks storage areas). If a tent provide tent information.
10. You will be required to provide on all sides of exterior/interior of tent "NO FIREWORKS DISCHARGE WITHIN 300 FEET"; At each entrance, "FIREWORKS – NO SMOKING"; and EXIT signs.
11. Will you be using generators? **Yes** **No** (If yes, are the generators limited to a 5-gallon fuel capacity and at least 20 feet from the tent. Indicate where the generator will be located on the site plan.)

12. Please estimate the quantity of fireworks that will be stored on the licensed premises. The total quantity of consumer fireworks on hand should not exceed 125 lb of pyrotechnic composition or, in a building protected throughout with an approved automatic sprinkler system installed in accordance with NFPA 13. Or where the actual weight of the pyrotechnic composition of consumer fireworks is not known, 25 percent of the gross weight of the consumer fireworks, including packaging, shall be permitted to be used to determine the weight of the composition.

12. Provide documentation on all personnel handling consumer fireworks that they received safety training related to the performance of their duties.

13. Make sure records are maintained on available inventory on the premises. This will be inspected upon final inspection.

Signature of Applicant

Date

Contacts:

West Metro Fire-Rescue District
Aaron Surratt, Fire Inspector (763) 537-2323 extension 2003
Shelby Wolf, Fire Inspector (763) 537-2323 extension 2004

Valerie Leone, New Hope City Clerk (763) 531-5117

WEST METRO FIRE-RESCUE DISTRICT FIREWORKS TENT COMPLIANCE CHECKLIST

PROPERTY ADDRESS _____

YES/NO/N/A	DESCRIPTION	NFPA #
	Permit/License for tent sales	7.3.1(b)
	If a tent conforms to NFPA 102	7.4.1(2)
	If a building it conforms to building construction type. Is there proper fire barriers and no penetrations through fire barriers. (Single buildings and multiple tenant buildings)	7.3.5
	Is there proper fire protection equipment in the building?	7.4.5
	Retail area for fireworks is within 150 feet of fire department access	7.6.1
	Area within 30 feet of retail area of fireworks is free of dry grass, brush, and combustibles	7.6.2
	No storage vehicle or trailer within 10 feet of retail area for fireworks.	7.6.3
	Retail area for fireworks is 20 feet from other buildings	7.7.2
	No smoking within 50 feet of retail area for fireworks	7.6.5.1
	Retail area for fireworks is 20 feet from combustibles	7.7.2
	Retail area for fireworks is 20 feet from other tents	7.7.2
	Fireworks shall not be ignited or discharged within 300 feet of the retail firework area.	7.6.4.1
	Retail area for fireworks is 10 feet from vehicle parking	7.7.2
	Retail area for fireworks is 50 feet from propane sales, gas pumps, above ground flammable liquids/gas tanks, natural gas facilities	7.7.3.1
	Tent is 300 feet from bulk storage or dispensing of flammable gas and liquids	7.7.3.2
	Sign on each side of exterior of tent, (letters 4 in. high), NO FIREWORKS DISCHARGE WITHIN 300 FEET	7.6.4.2
	Sign at each entrance, (letters 2 in. high), FIREWORKS - NO SMOKING	7.6.5.2
	Distance to any extinguisher no more than 35 feet	7.5.2.3.2
	One extinguisher - pressure water minimum 2A	7.5.2.2
	One extinguisher — dry chemical minimum 2A	7.5.2.2.2
	Tent shall have minimum of 2 exits	7.8.3.2
	Maximum distance to any exit is 75 feet	7.8.4.1
	Tent exit openings shall be a minimum of 44 inches wide	7.8.6.2
	Egress door that has a latching device shall be provide with panic hardware complying with NFPA 101.	7.3.14.4.2
	Means of egress doors shall be of the side-hinge swinging type and shall be arranged to swing in the direction of egress travel.	7.3.14.4.3
	Exits must be marked with approved exit signs (If open at dusk shall be illuminated with emergency lighting)	7.9.1.1
	Dead-end aisles not allowed	7.8.5.3.4

	Other required exits shall be located at, or within 10 ft of, the end of an aisle or a cross-aisle.	7.3.14.3.2.2
	Aisles shall terminate at an exit, another aisle, or cross-aisle.	7.3.14.3.2.3
	Aisles shall be minimum of 48 inches wide	7.8.5.1.1
	Aisles must remain unobstructed	7.8.5.1.2
	Where cross-aisles are required, not less than one cross-aisle shall have at least one end terminate at, or within 10 feet of, and exit.	7.3.14.3.2.7
	Height of Merchandise displays no higher than 6 feet	7.10.2
	Where located along the perimeter of the consumer fireworks retail sales area, the maximum height of sales displays shall be limited to 12 ft.	7.3.15.2.2
	Where continuous displays of consumer fireworks are located on shelving, cases, counters and similar fixtures, a flame break shall be provided so that the maximum distance between flame breaks does not exceed 16 ft where measured along the length of the display.	7.3.15.3.1
	<u>Freestanding displays shall be permitted without flame breaks</u> provided the dimensions of the area occupied by the fireworks merchandise do not exceed 4 feet in width, 8 feet in length, and 6 feet in height, and the displayed firework merchandise is separated from other displays of merchandise by aisles having a minimum clear width of 4 feet.	7.3.15.3.7
	No more than 32 feet of merchandise between flame breaks	7.10.3.1
	Is shelving meet appropriate requirements per NFPA 1124	7.3.15.4
	Are all fuses covered per NFPA 1124	7.3.15.5
	No consumer fireworks shall be displayed for sale or stored within 5 feet of any public/private entrance in an enclosed building or structure.	7.3.19.2.1
	Tent supervised 24 hours or secured while unoccupied or not opened	7.3.19.3
	Temporary electrical wiring must meet NFPA 70, NEC	7.11.1
	Is temporary wiring protected as required.	7.4.9.1
	Generators must be minimum 20 feet from tent	7.11.3.2
	Generator to be limited to 5 gallons fuel	7.11.3.3
	Is housekeeping ok	7.3.21
	Are records maintained on available inventory on the premises	7.3.24.1

EXAMPLES OF FIREWORKS THAT ARE NOW LEGAL TO SELL, POSSESS AND USE BY THE PUBLIC ON OR AFTER APRIL 30, 2002 AS PERMITTED BY MINNESOTA STATUTE 624.20 (C):

EXAMPLES OF FIREWORKS THAT CONTINUE TO BE ILLEGAL TO SELL POSSESS AND USE, EXCEPT AS PERMITTED UNDER MINNESOTA STATUTE 624.20

Wire or wood sparklers of not more than 100 grams of mixture per item

Other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical mixture per tube or a total of 200 grams or less for multiple tubes and include:

- Cylindrical fountain Upon ignition, a shower of colored sparks or smoke and sometimes a whistling effect is produced.
- Cone Fountain The effect is the same as that of a cylindrical fountain. When more than 1 cone is mounted on a common base, total pyrotechnic composition may not exceed 200 grams
- Illuminating Torch
- Wheel - Pyrotechnic device intended to be attached to a post or tree by means of a nail or string. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect
- Ground Spinner - Small device venting out an orifice usually on the side of the tube. Similar in operation to a wheel but intended to be placed flat on the ground and ignited. The rapidly spinning device produces a shower of sparks and color.
- Flitter Sparkler - Narrow paper tube attached to a stick or wire that produces color and sparks upon ignition. The paper at one end of the tube is ignited to make the device function.
- Flash/Strobe - Emit a bright light

Novelty items such as snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty-five hundredths grains of explosive mixture.

- Any fireworks that are explosive
- Any fireworks that are aerial
- Firecrackers (any size)
- Ladyfingers
- Sky rockets
- Bottle rockets
- Missile type rockets
- Helicopters, aerial spinners, planes, UFOs
- Roman Candles
- Mines or shells (heavy cardboard or paper tube(s) attached to a base – upon ignition stars, balls or reports are propelled into the air)
- Chasers
- Parachutes
- 1.3G Display (special or class B) Fireworks
- Aerial shells
- Theatrical pyrotechnics (see Minn. Stat. 624.20 to 624.25)

Basically, any fireworks listed above are still not legal for public sale, possession or use, except with a permit and by a certified operator according to Minnesota Statute 624.20. (i.e. these fireworks are still not legal unless a permit has been issued by the local jurisdiction and they are used by a state certified operator)

Sec. 8-40. Regulation of the sale of fireworks.

(a) *Purpose.* The purpose of this section is to regulate the sale of permitted consumer fireworks in order to protect the health, safety and welfare of the general public. The city council makes the following findings regarding the need to license and regulate the sale, distribution, storage and display of fireworks permitted under state law:

- (1) Consumer fireworks contain pyrotechnic chemical compositions that are combustible; accordingly, the unregulated accumulation, storage, display and sale of these items present fire safety hazard; and
- (2) The improper disposal of consumer fireworks presents environmental hazards; and
- (3) Due to their short-term and mobile nature, it is more difficult and demanding of city staff and public safety resources to enforce compliance with city ordinances and state law for temporary and transient sales of consumer fireworks than it is for established, permanent business.

(b) *Required license for sale of fireworks.* It is unlawful to sell fireworks in the city in violation of Minn. Stat., §§ 624.20 through 624.25, inclusive, which are adopted by reference. "Consumer fireworks" as defined in this section may, however, be sold upon issuance of a license issued by the city.

(c) *Consumer fireworks defined.* For the purposes of this section, "consumer fireworks" is defined to mean wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical mixture per tube of a total of 200 grams or less for multiple tubes, snakes and glow worms,

smoke devises, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers and drop pops, each consisting of not more than 25 hundredths grains of explosive mixture.

(d) *Application.* The application for a license shall contain the following information: name, address and telephone number of applicant; the address of the location where fireworks will be sold; the type of consumer fireworks to be sold; and the estimated quantity of consumer fireworks that will be stored on the license premises.

No license shall be issued for the sale of permitted consumer fireworks at a movable place of business, including without limitation, mobile sales made from motorized vehicles, mobile sale kiosks, nonpermanent stands or trailers. No license shall be issued hereunder to transient merchants or as a seasonal or temporary sales license.

(e) *Insurance required.* All licensees must have at all times a valid certificate of insurance issued by an insurance company licensed to do business in the state, evidencing that the applicant's use of the property is currently covered by a liability insurance policy. The minimum limits of coverage for such insurance shall be:

- (1) At least \$200,000.00 for each claim; and
- (2) At least \$500,000.00 for each incident.

Such insurance shall be kept in force during the term of the license and the licensee must provide for prior notification to the city should the policy be terminated or canceled. A certificate of insurance must accompany all initial and renewal license applications.

(f) *Processing application.* The application must be filed with the city clerk together with the license fee. Following an inspection of the premises proposed to be licensed, the city manager or his/her designee shall issue the license if the conditions for license approval are satisfied and the location is properly zoned. If the city manager or his/her designee denies the license application, the applicant may, within ten days, appeal the decision to the city council.

(g) *Conditions of license.* The license shall be issued subject to the following conditions:

- (1) The license is nontransferable, either to a different person or location.
- (2) The licensed premises must be a permanent building equipped with an automatic sprinkler system.
- (3) The license must be publicly displayed on the licensed premises.
- (4) The premises are subject to inspection by city employees during normal business hours.
- (5) The applicant must be at least 18 years of age.
- (6) If the applicant does not own the business premises, a true and correct copy of the current, executed lease, as well as the written authorization of the property owner for the applicant's use of the property for the sale of permitted fireworks.

(7) The sale of consumer fireworks must be allowed by the zoning ordinance and must comply with all zoning ordinance requirements including signs.

(8) The applicant shall not have had a license to sell fireworks revoked within the last three years.

* (9) The premises must be in compliance with the state building code and state fire code.

(h) *License period/fee.* Licenses shall be issued for a calendar year and must be renewed annually. The initial fee and renewal fee shall be as set forth in section 14-10 of this Code.

(i) *Revocation of license.* Following written notice and an opportunity for a hearing, the city manager or his/her designee may revoke a license for violation of this section or state law concerning the sale, use or possession of fireworks. If a license is revoked, neither the applicant nor the licensed premises may obtain a license for 12 months. If the city manager or his/her designee revokes a license, the license holder may within ten days appeal the decision to the city council.

(Ord. No. 02-11, § 1, 9-9-2002)